

1 **MICHAEL ARATA, ESQ.**
Nevada Bar No. 11902
2 E-mail: marata@hkm.com
HKM EMPLOYMENT ATTORNEYS LLP
3 101 Convention Center Drive, Suite 600
Las Vegas, Nevada 89109
4 Tel: (702) 577-3029
Fax: (702) 577-3029
5 *Attorneys for Plaintiff*

6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 JOHN MESSERSCHMITT, an Individual,

9 Plaintiff,

10 vs.

11 MATTRESS FIRM, INC.; a Foreign
12 Corporation, and DOES 1-50,
13 inclusive; and ROE CORPORATIONS 1-
50, inclusive,

14 Defendant.

CASE NO.: 3:24-cv-00191-CSD

**STIPULATION AND ORDER OF
DISMISSAL WITH PREJUDICE**

15
16 Plaintiff John Messerschmitt (“Plaintiff”) and Mattress Firm, Inc. (“Defendant”) hereby
17 agree and stipulate to the dismissal of this action pursuant to Rule 41(a)(1)(A)(ii) of the Federal
18 Rule of Civil Procedure. This dismissal is made with prejudice, and each party bearing its own
19 attorneys’ fees and costs.

20 Dated: December 9, 2024.

21
22 **HKM EMPLOYMENT ATTORNEYS, LLP**

FISHER & PHILLIPS LLP

23 /s/ Michael Arata
24 **MICHAEL ARATA, ESQ.**
Nevada Bar No. 11902
25 E-mail: marata@hkm.com
101 Convention Center Drive, Suite 600
26 Las Vegas, Nevada 89109
Tel: (702) 577-3029
27 Fax: (702) 577-3029
28 *Attorneys for Plaintiff*

/s/ Elizabeth Anne Hanson
DAVID B. DORNAK, ESQ.
Nevada Bar No. 6274
ELIZABETH A. HANSON, ESQ.
Nevada Bar No. 16249
300 S. Fourth Street, Suite 1500
Las Vegas, Nevada 89101
Telephone: (702) 252-3131
Attorneys for Defendant

***JOHN MESSERSCHMITT v. MATTRESS FIRM, INC. / CASE NO.: 3:24-cv-00191-CSD
STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE***

ORDER

IT IS SO ORDERED:



UNITED STATES MAGISTRATE JUDGE
CASE NO.: 3:24-cv-00191-CSD

DATED: December 10, 2024